

The Clerk read as follows:

Mr. Sarbanes moves to recommit the bill H.R. 5053 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 3. PROHIBITION ON REQUIRING CONTRIBUTOR IDENTITY NOT TO APPLY IN CASE OF ORGANIZATION INTERVENING IN POLITICAL CAMPAIGN.

The amendments made by section 2 of this Act shall not apply in the case of an organization described in section 501(c) of the Internal Revenue Code of 1986 which directly or indirectly participates in, or intervenes in, any political campaign on behalf of (or in opposition to) any candidate for public office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. SARBANES. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, we have had a debate here today on this larger issue of accountability to the American people when it comes to our politics, the way we govern, and the huge amounts of secret money that are pouring into our politics in a way that has left the average American feeling cynical and disconnected from their democracy. If anything, what Americans want to see is not less information and less accountability when it comes to politics, but more of it.

Now, many people out there are just kind of hanging on by a fingernail in terms of any confidence or trust when it comes to our democracy and our politics because they see how Big Money has sort of taken over the conversation and that the megaphone that Big Money has is hard to compete with if you are just a regular person out there who wants your voice to be heard. But it is made even worse when you don't know who is holding that megaphone when that speech comes in with all that money behind it and you don't know who the speaker is because that is hidden away because all of this money has become secret.

One of the mechanisms that is being used by Big Money out there to kind of foist themselves onto our politics and push average Americans on to the margins of their own democracy is to go in there and try and hijack, commandeer, and takeover these 501(c) organizations. These tax exempt organizations end up really engaging primarily in political activity but are masquerading as these 501(c) organizations that are supposed to be engaged in tax exempt activities.

So what this motion to recommit would do is pretty straightforward. It says that if one of these 501(c) tax exempt organizations—and I am reading now from the motion to recommit, from the amendment that would be made—is directly or indirectly participating in or intervening in any political campaign on behalf of or in opposi-

tion to any candidate for public office, then in that instance, the IRS ought to be able to collect that information on who their donors are.

Look, it makes sense. Taxpayers out there are saying: We understand that there are organizations that should be tax exempt because of the good work that they are doing, that they are actually social welfare organizations, the local Boys & Girls Club, organizations like that, providing a public benefit. That is okay. We will pay our taxes. But we understand that those organizations shouldn't have to because they are doing something that is good for the public and good for the community and so forth.

But if an organization is getting taken over by some group that has got a political goal or political objective, then it shouldn't be entitled to that tax exemption anymore.

That is what this motion to recommit says: You don't get to deny the IRS the kind of information that will allow them to make a judgment as to whether you deserve to have that tax exempt status. So that is all that we are trying to do.

There are two things that the IRS needs to look at when they are deciding whether a C organization is engaged primarily in political activity. One is, where is the money going? How are they spending it? They will be able to see that. But the other is, where is the money coming from that is getting spent? Who is behind the thing? That helps them decide, is this organization really fulfilling tax exempt purposes, or is it just masquerading that way when, in fact, what it is doing is engaged primarily in political activity?

So we want the IRS to have the information that allows them to reach a judgment as to whether an organization that is benefiting from this tax exemption really deserves to get that tax exemption. That is what this motion to recommit would do.

We need more accountability, not less, in our politics. We need more information to decide who appropriately is benefiting from this tax exempt status.

Mr. Speaker, for that reason, I urge my colleagues to support the motion to recommit, and I yield the balance of my time.

Mr. ROSKAM. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. ROSKAM. Mr. Speaker, the motion to recommit essentially says this: All kind of speech is sacred, and all types of speech should be protected, except certain kinds. So you can say whatever you want to say, you can say it however you want to say it, but if it is political, we are going to treat it differently. And that is the problem; that is absolutely the problem.

H.R. 5053 is commonsense legislation that protects Americans from having their information improperly disclosed.

It eliminates a burdensome reporting requirement for not-for-profits, and the IRS itself has indicated that it doesn't use the reported information for tax enforcement.

There is absolutely no reason not to eliminate the Schedule B on the Form 990. Not only is it unnecessary, but the IRS doesn't have a good track record at protecting sensitive information or treating everyone fairly. We shouldn't be giving the Internal Revenue Service access to this information, especially when they don't need it to do their job.

Mr. Speaker, I urge my colleagues to vote against the motion, "yes" on H.R. 5053, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. SARBANES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 p.m.), the House stood in recess.

□ 1601

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 4 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of the motion to recommit H.R. 5053, and

Passage of H.R. 5053, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Any remaining electronic vote will be conducted as a 5-minute vote.

PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns, offered by the gentleman from Maryland (Mr. SARBANES), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 180, nays 238, not voting 16, as follows:

[Roll No. 302]

YEAS—180

Adams	Garamendi	Napolitano
Aguilar	Graham	Neal
Ashford	Grayson	Nolan
Bass	Green, Al	Norcross
Beatty	Green, Gene	O'Rourke
Becerra	Grijalva	Pallone
Bera	Gutiérrez	Pascarell
Beyer	Hahn	Payne
Bishop (GA)	Hastings	Pelosi
Blum	Heck (WA)	Perlmutter
Blumenauer	Higgins	Peters
Bonamici	Himes	Peterson
Brady (PA)	Honda	Pingree
Brown (FL)	Hoyer	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Israel	Price (NC)
Butterfield	Jackson Lee	Quigley
Capps	Jeffries	Rangel
Capuano	Johnson (GA)	Rice (NY)
Cárdenas	Johnson, E. B.	Richmond
Carney	Jones	Roybal-Allard
Carson (IN)	Kaptur	Ruiz
Castwright	Keating	Ruppersberger
Castor (FL)	Kelly (IL)	Rush
Castro (TX)	Kennedy	Ryan (OH)
Chu, Judy	Kildee	Sánchez, Linda
Clark (MA)	Kilmer	T.
Clarke (NY)	Kind	Sanchez, Loretta
Clay	Kirkpatrick	Sarbanes
Cleaver	Kuster	Schakowsky
Clyburn	Langevin	Schiff
Cohen	Larsen (WA)	Schrader
Connolly	Larson (CT)	Scott (VA)
Conyers	Lawrence	Scott, David
Courtney	Lee	Serrano
Crowley	Levin	Sewell (AL)
Cuellar	Lewis	Sherman
Cummings	Lieu, Ted	Sinema
Davis (CA)	Lipinski	Sires
Davis, Danny	Loebsack	Slaughter
DeFazio	Lofgren	Smith (WA)
DeGette	Lowenthal	Smith (WA)
Delaney	Lowey	Speier
DeLauro	Lujan Grisham	Swalwell (CA)
DeBene	(NM)	Takano
DeSaulnier	Luján, Ben Ray	Thompson (CA)
Doggett	(NM)	Titus
Doyle, Michael	Lynch	Tonko
F.	Maloney,	Torres
Duckworth	Carolyn	Tsongas
Duncan (TN)	Maloney, Sean	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCaul	Veasey
Engel	McCollum	Vela
Eshoo	McDermott	Velázquez
Esty	McGovern	Visclosky
Farr	McNerney	Walz
Foster	Meeks	Wasserman
Frankel (FL)	Meng	Schultz
Fudge	Moulton	Waters, Maxine
Gabbard	Murphy (FL)	Watson Coleman
Gallego	Nadler	Welch
		Yarmuth

NAYS—238

Abraham	Amodei	Barton
Aderholt	Babin	Benishkek
Allen	Barletta	Bilirakis
Amash	Barr	Bishop (MI)

Bishop (UT)	Hartzler	Poe (TX)
Black	Heck (NV)	Poliquin
Blackburn	Hensarling	Pompeo
Bost	Hice, Jody B.	Posey
Boustany	Hill	Price, Tom
Brady (TX)	Holding	Ratcliffe
Brat	Hudson	Reed
Bridenstine	Huelskamp	Reichert
Brooks (AL)	Huizenga (MI)	Renacci
Brooks (IN)	Hultgren	Ribble
Buchanan	Hunter	Rice (SC)
Buck	Hurd (TX)	Roby
Bucshon	Hurt (VA)	Roe (TN)
Burgess	Issa	Rogers (AL)
Byrne	Jenkins (KS)	Rogers (KY)
Calvert	Jenkins (WV)	Rohrabacher
Carter (GA)	Johnson (OH)	Rokita
Carter (TX)	Johnson, Sam	Rooney (FL)
Chabot	Jolly	Ros-Lehtinen
Chaffetz	Jordan	Roskam
Clawson (FL)	Joyce	Ross
Coffman	Katko	Rothfus
Cole	Kelly (MS)	Rouzer
Collins (GA)	Kelly (PA)	Royce
Collins (NY)	King (IA)	Russell
Comstock	King (NY)	Salmon
Conaway	Kinzingler (IL)	Sanford
Cook	Kline	Scalise
Cooper	Knight	Schweikert
Costa	Labrador	Scott, Austin
Costello (PA)	LaHood	Sensenbrenner
Cramer	LaMalfa	Sessions
Crawford	Lamborn	Shimkus
Crenshaw	Lance	Shuster
Culberson	Latta	Simpson
Curbelo (FL)	LoBiondo	Smith (MO)
Davidson	Long	Smith (NE)
Davis, Rodney	Loudermilk	Smith (NJ)
Denham	Love	Smith (TX)
Dent	Lucas	Stefanik
DeSantis	Luetkemeyer	Stewart
DesJarlais	Lummis	Stivers
Diaz-Balart	MacArthur	Stutzman
Dold	Marchant	Thompson (PA)
Donovan	Marino	Thornberry
Duncan (SC)	Massie	Tiberi
Ellmers (NC)	McCarthy	Tipton
Emmer (MN)	McClintock	Trott
Farenthold	McHenry	Turner
Fincher	McKinley	Upton
Fitzpatrick	McMorris	Valadao
Fleischmann	Rodgers	Wagner
Fleming	McSally	Walberg
Flores	Meadows	Walden
Fortenberry	Meehan	Walker
Fox	Messer	Walorski
Fox	Mica	Walters, Mimi
Franks (AZ)	Miller (FL)	Weber (TX)
Frelinghuysen	Miller (MI)	Webster (FL)
Garrett	Moolenaar	Westerman
Gibbs	Mooney (WV)	Westmoreland
Gibson	Mullin	Whitfield
Gohmert	Murphy (PA)	Williams
Gosar	Neugebauer	Wilson (SC)
Gowdy	Newhouse	Wittman
Granger	Noem	Womack
Graves (GA)	Nugent	Woodall
Graves (LA)	Nunes	Yoder
Graves (MO)	Olson	Yoho
Griffith	Palazzo	Young (AK)
Grothman	Palmer	Young (IA)
Guinta	Paulsen	Young (IN)
Guthrie	Pearce	Zeldin
Hanna	Perry	Zinke
Hart	Pittenger	
Hardy	Pitts	
Harper		
Harris		

NOT VOTING—16

Boyle, Brendan	Fattah	Mulvaney
F.	Forbes	Rigell
Cicilline	Goodlatte	Takai
Deutch	Herrera Beutler	Thompson (MS)
Dingell	Hinojosa	Wilson (FL)
Duffy	Moore	

□ 1622

Messrs. ROONEY of Florida, BRAT, and CULBERSON changed their vote from “yea” to “nay.”

Messrs. POCAN, HUFFMAN, Ms. BASS, Messrs. HIMES and CLYBURN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DEUTCH. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 302.

Stated against:

Mr. McCAUL. Mr. Speaker, during the second voting series today, I intended to vote “nay” in accordance with leadership recommendation on the first vote, Democrat Motion to Recommit H.R. 5053—Preventing IRS Abuse and Protecting Free Speech. I inadvertently voted “yes.” I intended to vote “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 182, not voting 12, as follows:

[Roll No. 303]

AYES—240

Abraham	Fitzpatrick	Long
Aderholt	Fleischmann	Loudermilk
Allen	Fleming	Love
Amash	Flores	Lucas
Amodei	Fortenberry	Luetkemeyer
Babin	Fox	Lummis
Barletta	Franks (AZ)	MacArthur
Barr	Frelinghuysen	Marchant
Barton	Garrett	Marino
Benishkek	Gibbs	Massie
Bilirakis	Gohmert	McCarthy
Bishop (MI)	Gosar	McCaul
Bishop (UT)	Gowdy	McClintock
Black	Granger	McHenry
Blackburn	Graves (GA)	McKinley
Blum	Graves (LA)	McMorris
Bost	Graves (MO)	Rodgers
Boustany	Griffith	McSally
Brady (TX)	Grothman	Meadows
Brat	Guinta	Meehan
Bridenstine	Guthrie	Messer
Brooks (AL)	Hanna	Mica
Brooks (IN)	Hardy	Miller (FL)
Buchanan	Harper	Miller (MI)
Buck	Harris	Moolenaar
Bucshon	Hartzler	Mooney (WV)
Burgess	Heck (NV)	Mullin
Byrne	Hensarling	Murphy (PA)
Calvert	Hice, Jody B.	Neugebauer
Carter (GA)	Hill	Newhouse
Carter (TX)	Holding	Noem
Chabot	Hudson	Nugent
Chaffetz	Huelskamp	Nunes
Clawson (FL)	Huizenga (MI)	Olson
Coffman	Hultgren	Palazzo
Cole	Hunter	Palmer
Collins (GA)	Hurd (TX)	Paulsen
Collins (NY)	Hurt (VA)	Pearce
Comstock	Issa	Perry
Conaway	Jenkins (KS)	Peterson
Cook	Jenkins (WV)	Pittenger
Costello (PA)	Johnson (OH)	Pitts
Cramer	Johnson, Sam	Poe (TX)
Crawford	Jolly	Poliquin
Crenshaw	Jones	Pompeo
Culberson	Jordan	Posey
Curbelo (FL)	Joyce	Price, Tom
Davidson	Katko	Ratcliffe
Davis, Rodney	Kelly (MS)	Reed
Denham	Kelly (PA)	Reichert
Dent	King (IA)	Renacci
DeSantis	King (NY)	Ribble
DesJarlais	Kinzingler (IL)	Rice (SC)
Diaz-Balart	Kline	Roby
Dold	Knight	Roe (TN)
Donovan	Labrador	Rogers (AL)
Duncan (SC)	LaHood	Rogers (KY)
Duncan (TN)	LaMalfa	Rohrabacher
Ellmers (NC)	Lamborn	Rokita
Emmer (MN)	Lance	Rooney (FL)
Farenthold	Latta	Ros-Lehtinen
Fincher	LoBiondo	Roskam